



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------|-------------|----------------------|---------------------|------------------|
| 10/779,756 | 02/17/2004 | Ravi Kuchibhotla | CS23735RL | 9772 |
| 20280 7590 08/08/2008 | | | | |
| MOTOROLA INC | | | | |
| 600 NORTH US HIGHWAY 45 | | | | |
| W4 - 39Q | | | | |
| LIBERTYVILLE, IL 60048-5343 | | | | |
| EXAMINER | | | | |
| TRAN, TUAN A | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2618 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 08/08/2008 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DOCKETING.LIBERTYVILLE@MOTOROLA.COM

ADB035@Motorola.com

Office Action Summary

Application No.

10/779,756

Applicant(s)

KUCHIBHOTLA ET AL.

Examiner

TUAN A. TRAN

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group I (claims 1-22) in the reply filed on 05/08/2008 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-10 and 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Cuffaro (6,223,032).

Regarding claim 13-14, Cuffaro discloses a communication network configured to isolate a communication device (See figs. 1-2), the network comprising: a register 16 configured to register an identification of a communication device 12 authorized to access the communication network; a receiver 15 coupled to the register 16, the receiver 15 configured to receive a call from the communication device 12; a call characterizer 20 coupled to the receiver 15, the call characterizer 20 configured to determine whether a characteristic of the call is undesirable; and a transmitter 15 coupled to the call characterizer 20, the transmitter 15 configured to transmit a disabling message (shut-down command) to the communication device 12 if the call characterizer 20 determines the characteristic of the call is undesirable, wherein the disabling message is configured to terminate the call and prevent the communication device 12

from establishing a new call and wherein the register 16 is further configured to de-register the identification of the communication device 12 if the call characterizer 20 determines the characteristic of the call is undesirable (See figs. 1-2 and col. 2 line 65 to col. 4 line 30).

Claims 1 and 7 are rejected for the same reasons as set forth in claim 13-14, as method.

Regarding claim 15, Cuffaro discloses as cited in claim 13. Cuffaro further discloses a de-registration register 25 coupled to the call characterizer 20 and to the register 16, the de-registration register 25 configured to maintain the identification of the communication device 12 if the call characterizer 20 determines the characteristic of the call is undesirable (See fig. 2 and col. 3 lines 29-50).

Claim 8 is rejected for the same reasons as set forth in claim 15, as method.

Regarding claim 16, Cuffaro discloses as cited in claim 13. Cuffaro further discloses a call re-director 18 coupled to the call characterizer 20, the call re-director 18 configured to re-direct the call to a remediation center if the call characterizer 20 determines the characteristic of the call is undesirable, wherein the remediation center is configured to remediate the communication device 12 (See fig. 2 and col. 3 line 51 to col. 4 line 9).

Claim 9 is rejected for the same reasons as set forth in claim 16, as method.

Regarding claims 17-18, Cuffaro discloses as cited in claim 13. Cuffaro further discloses the call characterizer 20 is configured to evaluate a pattern of the call from the communication device 12 and to compare the characteristic of the call to a predetermined undesirable characteristic (See fig. 2 and col. 3 lines 29-50).

Claim 3 is rejected for the same reasons as set forth in claim 17, as method.

Regarding claims 19-20, Cuffaro discloses as cited in claim 13. Cuffaro further discloses the transmitter 15 is configured to transmit a notification indicative of the call having an undesirable characteristic if the call characterizer 20 determines the characteristic of the call is undesirable, wherein the notification includes an instruction to remediate the communication device 12 (See fig. 2 and col. 3 lines 51-64, col. 4 lines 31-59).

Claims 5-6 are rejected for the same reasons as set forth in claims 19-20, as method.

Regarding claim 2, Cuffaro discloses as cited in claim 1. Cuffaro further discloses determining whether a characteristic of the call is undesirable includes monitoring the call for the duration of the call (See col. 3 lines 8-28).

Regarding claim 4, Cuffaro discloses as cited in claim 1. Cuffaro further discloses the call comprises a plurality of call sessions and terminating the call includes terminating all call sessions (See col. 3 lines 44-50 and col. 4 lines 21-30).

Regarding claim 10, Cuffaro discloses as cited in claim 9. Cuffaro further discloses redirecting the call to the remediation center by providing an instruction to connect to the remediation center (See col. 3 line 51 to col. 4 line 9, col. 4 lines 31-59).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-12 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cuffaro (6,223,032).

Regarding claims 21-22, Cuffaro discloses as cited in claim 13. However, Cuffaro does not explicitly mention limitations recited in the claims. Since allowing mobile communication device to make emergency calls (i.e. 911 calls), while being inactivated, locked, shut down or denied normal access to the network (call restrictions), is a common practice in the art; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system, as disclosed by Cuffaro, with such practice for the advantage of providing a safety feature to users all the time.

Claims 11-12 are rejected for the same reason as set forth in claims 21-22, as method.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- USPAT (6,128,507; 5,706,333; 5,812,636; 6,836,654).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN A. TRAN whose telephone number is (571)272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan A Tran/
Primary Examiner, Art Unit 2618

